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UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

CENTEX HOMES dba CENTEX REAL
ESTATE CORPORATION, a Nevada general
partnership; CENTEX CONSTRUCTION OF
NEW MEXICO, LLC, a foreign limited
liability company; PULTE DEVELOPMENT
NEW MEXICO, INC., a Michigan
corporation,,

Plaintiffs,

v.

PELEUS INSURANCE COMPANY, a
Virginia corporation; CENTRAL MUTUAL
INSURANCE COMPANY, an Ohio
corporation; HDI GLOBAL SPECIALTY SE
fka INTERNATIONAL INSURANCE OF
HANNOVER, a New York corporation;
SENTINEL INSURANCE COMPANY, LTD,
a Connecticut corporation; COLORADO
CASUALTY COMPANY, a New Hampshire
corporation; THE CINCINNATI
INSURANCE COMPANY, an Ohio
corporation; THE CINCINNATI CASUALTY
COMPANY, an Ohio corporation;
DONEGAL MUTUAL INSURANCE
COMPANY fka MOUNTAIN
STATES MUTUAL CASUALTY
COMPANY, a Pennsylvania corporation;
HARTFORD CASUALTY INSURANCE
COMPANY, a New Jersey corporation;
CLARENDON NATIONAL INSURANCE
COMPANY, as successor in interest by way of
merger with Sussex Insurance Company fka as

Case No. 1:22-cv-00037-KWR-SCY

The Hon. Kea W. Riggs

**ORDER GRANTING STIPULATION TO
DISMISS PLAINTIFFS' CLAIMS
AGAINST DEFENDANT DONEGAL
MUTUAL INSURANCE COMPANY fka
MOUNTAIN STATES MUTUAL
CASUALTY COMPANY (ECF No. 1) AND
DEFENDANT'S COUNTER-CLAIM
AGAINST PLAINTIFFS (ECF No. 64)**

Companion Property and Casualty Insurance Company, a Texas corporation; FIRST MERCURY INSURANCE COMPANY, a Delaware corporation; CENTURY SURETY COMPANY, an Ohio corporation; UNITED SPECIALTY INSURANCE COMPANY, a Delaware corporation; KNIGHT SPECIALTY INSURANCE COMPANY, a Delaware corporation; GEMINI INSURANCE COMPANY, a Delaware corporation; WESTFIELD INSURANCE COMPANY, an Ohio corporation; NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, a Pennsylvania corporation; STARR INDEMNITY & LIABILITY COMPANY, a Texas corporation; STARR SURPLUS LINES INSURANCE COMPANY, a Texas corporation; ENDURANCE AMERICAN INSURANCE COMPANY, a Delaware corporation; OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania corporation; OHIO SECURITY INSURANCE COMPANY, a New Hampshire corporation; UNION STANDARD INSURANCE COMPANY, a Texas corporation; BITCO GENERAL INSURANCE CORPORATION fka BITUMINOUS CASUALTY CORP., an Iowa corporation,

Defendants.

AND RELATED COUNTER-CLAIMS

ORDER GRANTING STIPULATION TO DISMISS PLAINTIFFS' CLAIMS AGAINST DEFENDANT DONEGAL MUTUAL INSURANCE COMPANY fka MOUNTAIN STATES MUTUAL CASUALTY COMPANY (ECF No. 1) AND DEFENDANT'S COUNTER-CLAIM AGAINST PLAINTIFFS (ECF No. 64)

Pursuant to the Stipulation to Dismiss Plaintiffs' Claims Against Defendant Donegal Mutual Insurance Company fka Mountain States Mutual Casualty Company (ECF No. 1) and Defendant's Counter-Claim Against Plaintiffs (ECF No. 64), filed on August 26, 2022 (ECF No. 153),

IT IS SO ORDERED that Plaintiffs' claims against Defendant Donegal Mutual

Insurance Company f/k/a Mountain States Mutual Casualty Company, in the instant matter, Case No. 1:22-cv-00037-KWR-SCY, are **DISMISSED WITH PREJUDICE**. Additionally, Defendant/Counter-Claimant Donegal Mutual Insurance Company f/k/a Mountain States Mutual Casualty Company's claims against Plaintiffs/Counter-Defendants Centex Homes dba Centex Real Estate Corporation, Centex Construction of New Mexico, LLC, and Pulte Development New Mexico, Inc. in Counter-Claimant's Counterclaim for Declaratory Judgment are **DISMISSED WITH PREJUDICE** (ECF No. 64). Each party shall bear their own attorneys' fees and costs.

DATED: Monday, August 29, 2022 (08/29/2022)



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE

Respectfully Submitted By:

PAYNE & FEARS LLP

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